

Approved: Meeting No. 33-16

Attest:

Bridget Donnell Newton
Alice Lufkin-Fennell

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
February 29, 2016

Minutes
Meeting No. 09-16
7:00 p.m.

Executive Session Summary for February 26, 2016

Convene in Open Session to vote on motion to go into Executive Session pursuant to Section 3-305(b)(1)(i) of the General Provisions Article of the Annotated Code of Maryland to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of the City Manager, an employee over whom the Mayor and Council has jurisdiction.

The Mayor and Council met in Executive Session on Friday, February 26, 2016, at 5:00 p.m. in the Diamondback Terrapin Conference Room, City Hall, 111 Maryland Avenue, Rockville, Maryland.

Councilmember Palakovich Carr, made the motion to convene in Executive Session, seconded by Councilmember Onley, and passed unanimously.

Present:

Mayor Bridget Donnell Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr and Councilmember Mark Pierzchala. Also present City Manager Barbara Matthews.

The Mayor and Council met with the City Manager regarding a personnel matter.

Action Taken: to adjourn.

The Executive Session adjourned at 5:25 p.m.

Executive Session Summary for February 29, 2016

1. Convene in Open Session to vote on motion to go into Executive Session pursuant to Sections 3-305(b)(7) and 3-305(b)(9) of the General Provisions Article of the Annotated Code of Maryland to 1) obtain legal advice regarding collective bargaining negotiations and to consider matters that relate to the negotiations; and 2) to obtain legal advice on a stormwater management memorandum of understanding with Montgomery County.

2. The Mayor and Council met in Executive Session on Monday, February 29, 2016, at 6:00 p.m. in the Diamondback Terrapin Conference Room, City Hall, 111 Maryland Avenue, Rockville, Maryland.

Councilmember Pierzchala, made the motion to convene in Executive Session, seconded by Councilmember Feinberg, and passed unanimously.

Present:

Mayor Bridget Donnell Newton, Councilmember Beryl Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr and Councilmember Mark Pierzchala. Also present Acting City Manager Craig Simoneau, City Attorney Debra Daniel, Deputy City Attorney Cynthia Walters, Acting Director Public Works Judy Ding, Assistant City Manager Linda Moran and Counsel Pam Kasemeyer.

The Mayor and Council obtained legal advice regarding collective bargaining negotiation and considered matters related to the negotiations and obtained legal advice regarding the stormwater management memorandum of understanding with Montgomery County.

Actions Taken: to direct staff on responses related to collective bargaining negotiations and to adjourn.

The Executive Session adjourned at 6:45 p.m.

3. Reconvene into Open Session

Present:

Mayor Bridget Donnell Newton, Councilmember Beryl L. Feinberg, Councilmember Virginia Onley, Councilmember Julie Palakovich Carr, Councilmember Mark Pierzchala.

Staff Present:

Acting City Manager Craig Simoneau, Acting City Clerk Sara Taylor-Ferrell, and City Attorney Debra Daniel.

4. Pledge of Allegiance

Mayor led the Pledge of Allegiance.

5. Agenda Review

A. Adoption of Resolution to designate Craig Simoneau as Acting City Manager.

Motion: to designate Mr. Craig Simoneau as Acting City Manager.

Councilmember Onley moved, seconded by Councilmember Feinberg and unanimously approved.

B. Adoption of Resolution to Amend Resolution No. 15-14 Designating Branch Banking and Trust Company (BB&T) as the custodian for Funds of the City of Rockville so as to Modify the Authorized Signatories.

Motion: to Modify the Authorized Signatories

Councilmember Pierzchala moved, seconded by Councilmember Onley and unanimously approved.

6. City Manager's Report

Acting City Manager Craig Simoneau announced the City Forester has recently identified an infestation of Emerald Ash Borer (EAB) in the Carter Hill, Glenora Hills and Rockshire neighborhoods. EAB is a non-native, wood boring beetle that is specific to ash trees killing tens of millions of trees nationwide. The City will be removing approximately 40 to 50 street trees in these neighborhoods to help minimize the spread of and risk to these trees.

Information on identifying ash trees and symptoms of EAB infestation can be found at www.emeraldashborer.info.

Acting City Manager Craig Simoneau informed everyone that effective March 1, 2016, all city parks and facilities will go smoke-free. New signs are currently going up at city parks and facilities.

Enforcement of the smoke-free rules will be compliant driven. Complaints may be directed to Montgomery County's Department of Health and Human Services, the agency tasked with monitoring the county's smoke free area rules.

Acting City Manager Craig Simoneau mentioned that The Bike Hub is actively searching for kid's bikes to add to their supply to support the Terrific Rockville Citizen-Bike Award Program. This program collects and refurbishes used bicycles and redistributes them to recipients of the award. Your donation is tax deductible.

Please visit www.rockvillebikehub.org or email rockvillebikehub@gmail.com for more information.

Acting City Manager Craig Simoneau announced the City of Rockville and VisArts are sponsoring the Rockville Storm Drain Mural Project in celebration of Earth Day, Friday April 22, 2016. This is a unique opportunity for artists with an interest in the environment to display their talents to help educate the public about storm drains and the impact on local waterways and the Chesapeake Bay.

Submit mural ideas by Monday, March 14, 2016, to be considered to paint a Rockville storm drain. For more information and an application visit www.rockvillemd.gov or call 240-314-8870.

7. Community Forum

Citizen	Issue
Adam Zimmerman	Thanks for adopting smoke-free policy
Ken Sandin	Asked for support legislation proposing automatic voter registration
Melissa McKenna	Southlawn Study, advertise community forum meetings, does not support to David Scull rezoning
Gail Sherman	Announced Community Ministries of Rockville annual fundraiser Sat. May 7
Nancy Piccard	Dairy Barn funding, heritage map, office library
Bob Harris	Southlawn Study, supports David Scull rezoning, congrats to Mr. Simoneau
Joe Jordan	Rockshire community development, community meeting March 8

8. Mayor and Council's Response to Community's Forum and Announcements

Councilmember Palakovich Carr thanked Mr. Sandin for representing the Human Rights Commission and for advocating for automatic voter registration. She also thanked Mr. Zimmerman stating she appreciates his continued advocacy on the outdoor smoking ban.

Councilmember Pierzchala asked the two citizens to send Mayor and Council an email on their positions regarding the rezoning of David Scull.

Councilmember Feinberg thanked everyone for coming out. She thanked Mr. Zimmerman for his advocacy on the outdoor smoking ban, Ms. Sherman for publicizing the CMR Gala, Mr. Jordan of the Rockshire citizens group and suggested reaching out to the Potomac Springs and Potomac Woods community groups to support their upcoming meeting on March 8.

9. Mayor and Council Reports

Councilmember Feinberg reminded everyone that next Monday starts Business Appreciation Week and she along with REDI will visit Rockville businesses and appreciates them being a part of the City of Rockville.

Councilmember Pierzchala mentioned that he attended a meeting along with Councilmember Onley at Rockville Housing Enterprises last Wednesday, he attended a mix and mingle last Thursday at the Chamber of Commerce, a VisArts meeting; a Cub Scout Blue and Gold Ceremony; and a COG Regional meeting.

Mayor Newton stated she attended the General Assembly Session in Annapolis last week where Speaker Bush inquired the City's as to the proposed use of POS Funds, if granted; she attended the WEBOS Cub Scout meeting; and a discussion of housing trends at Stories, a senior housing community behind Congressional Plaza.

10. Consent Agenda

Letter Agreement between the Mayor and Council of Rockville and King Farm Associates, LLC.

Motion: to approve the Consent Agenda

Councilmember Palakovich Carr moved, seconded by Councilmember Feinberg and was unanimously approved.

11. Presentation - Southlawn Industrial Area Feasibility Study by Consultants

Clark Larson, GIS Specialist, introduced the Southlawn Feasibility Study and presented consultant Paul Moyer of VHB, who provided an overview of the study with their findings and recommendations, followed by discussion, questions and comments.

12. Authorization to File a Zoning Text Amendment to Allow Charitable or Philanthropic Institutions to Occupy Up to 15,000 Square Feet of Floor Area in the MXB (Mixed Use Business) Zone, under certain circumstances.

Susan Swift provided an overview of the proposed text stating that this is the first step to authorization for Mayor and Council to file. The Planning Commission will review the proposed text amendment March 9th and forward the recommendation to Mayor and Council by March 21st, then adoption afterwards.

Discussion, questions and comments followed.

Motion: to authorize filing of proposed text amendment.

Councilmember Pierzchala moved, seconded by Councilmember Palakovich Carr and failed on a 2-3 vote (Mayor Newton and Councilmembers Feinberg and Onley voted no).

The meeting recessed at 9:05 p.m. and reconvened at 9:15 p.m.

13. Second Quarter FY 2016 Financial Report

Mary Sue Martin, Senior Management and Budget Analyst, presented the Second Quarter FY 2016 Financial Report. She stated this was the second budget preview related to the FY 2017 operating and CIP budgets. The first budget preview/worksession was held on January 11, 2016 and the second worksession, was previously scheduled for February 8, 2016, canceled. This agenda item also offers a preview of the FY 2017 budget highlights.

Discussion and comments followed.

14. Presentation - FY 2017 Budget Preview #2

Stacey Webster, Deputy Director of Finance, presented the FY 2017 Budget Preview #2. Her speaking points included a Tax Revenue Update, the FY2017 Budget Focus, the FY 2017 Operations Budget and Capital Improvements Program (CIP) followed by discussion.

15. Discussion Concerning the Establishment of a King Farm Farmstead Task Force

Tim Chestnut, Director of Recreation and Parks, stated the briefing was to clarify staff's intent to create a structure for the task force to ensure its success.

Motion: to direct City staff to move forward with the King Farm Farmstead Task Force as discussed this evening.

Councilmember Pierzchala moved, seconded by Councilmember Onley and unanimously approved.

16. Review and Comment – Mayor and Council Action Report

There were none.

17. Review and Comment – Future Agendas

The Mayor and Council went over the Future Agendas and made recommendations, comments and corrections.

18. Old/New Business

Councilmember Onley inquired about a search for a new City Manager and suggested Novak Group to lead the search.

Councilmember Pierzchala stated that the City is currently in good hands with the Acting City Manager and that there are a number of qualified companies to handle the search through the competitive bid process.

Mayor Newton stated that despite what has been reported there is not a national search currently being conducted for a new City Manager.

Councilmember Pierzchala asked for Mayor and Council's support for Senator Kagan's 911 Bill.

Motion: to support the legislation of SB686 "Public Safety 911 Emergency Telephone System" and SB424 "Emergency Systems Number Board 911 Trust Fund Planning Costs".

Councilmember Feinberg moved, seconded by Councilmember Palakovich Carr and unanimously approved.

Councilmember Palakovich Carr would like to have further discussion from the Human Rights Commission requests regarding automatic voter registration.

Councilmember Pierzchala expressed his concern about the implementations and needs more time to review.

Councilmember Palakovich Carr said there will be a hearing on March 4.

Councilmember Feinberg echoes what Councilmember Pierzchala said and will need more time to review the bill.

Mayor Newton would like more information in order support the bill.

Motion: to offer testimony to support stormwater management HSB719 and HB1108.

Councilmember Pierzchala moved, seconded by Councilmember Onley and unanimously approved.

19. Adjournment

Motion: to adjourn at 10:21 pm.

Councilmember Palakovich Carr moved, seconded by Councilmember Onley and unanimously approved.